REMARKS

In the *Non-Final* Office Action of September 25, 2007, the Examiner has rejected claims 1, 2, 4-7, 9-12, 14 and 15. Reconsideration and allowance of outstanding claims 1, 2, 4-7, 9-12, 14 and 15 in view of the following remarks are requested.

A. Rejection of Claims 1, 2, 4-7, 9-12, 14 and 15

The Examiner has rejected claims 1, 6 and 11, under 35 USC § 103(a), as being unpatentable over U.S. Publication Number 2003/0128696 to Wengrovitz ("Wengrovitz") in view of Sengodan, et. al. (USPN 6,918,034) ("Sengodan"). For the reasons stated below, applicant respectfully disagrees.

First, applicant appreciates the Examiner's acknowledgment that Wengrovitz fails to teach an encryption unit configured to receive a voice block and generate an encrypted voice block, said voice block having a block size, wherein said packet size is not divisible by said block size and yields a remainder.

Turning to Sengodan, applicant respectfully submits that Sengodan fails to disclose, teach or suggest "a packet block manager configured to divide said encoded voice packet into a plurality of first voice blocks each having said block size, and provide said plurality of first voice blocks to said encryption unit, said packet block manager further configured to create a remainder voice block having said block size and including remainder bytes of said encoded voice packet and additional bytes from said plurality of first voice blocks and provide said remainder voice block to said encryption unit."

With respect to the mini-packets, Sengodan explains, as follows (see col. 8, lines 2-21):

> invention. First, a decision is made as to whether the mini-packet is encrypted **410**. If the mini-packet is encrypted **420**, padding is added. If the input (actual data) is of size "n" and the block size is "k", then the amount of padding "p" is given by:
>
> $p=k*\text{Ceiling}(n/k)-n$
>
> It is seen that the number of padding bytes "p" varies from one to k. FIG. **5** illustrates a padded mini-packet **500** according to the present invention. In FIG. **5**, the mini-packet **510** includes a data block **512**. Padding of p−1 **522** is added. Even for the case where the mini-packet size equals an integral multiple of the block size, k, padding equaling one block is added. In any case, the last padding byte **524** indicates the number of padding bytes. The p−1 padding bytes **522** could be arbitrarily chosen. The end-points of the security association are aware of the encryption mechanism and parameters. The recipient after decrypting the mini-packet looks at the last byte **524** to determine the number of padding bytes **522** used.

First, it is respectfully submitted that Sengodan fails to teach, disclose or suggest "divide said encoded voice packet into a plurality of first voice blocks each having said block size" and "create a remainder voice block having said block size." The Examiner should note that mini-packets, as described in Sengodan, are not created as a result of dividing larger packets or some macro packets. Rather, as explained in the background section of Sengodan, these mini-packets are just smaller than typical packets, and are multiplexed in RTP payloads. (Col. 3, lines 48-50.) In other words, the mini-packets are called mini-packets due to their size and not division of a larger voice packet into smaller voice packets. Further, there is no disclosure, teaching or suggestion in Sengodan that the mini-packets themselves are further divided. Therefore, applicant respectfully submits that there is no statement in Sengodan that an encoded voice packet is received and divided into a plurality of first voice blocks and a remainder voice block. Applicant respectfully requests the Examiner to point out where in Sengodan it is disclosed that mini-packets are divided up or that mini-packets are the result of division of larger packets.

Since no such disclosure is found in Sengodan or even taught or suggested, it is respectfully submitted that claim 1 is patentably distinguishable over the cited references.

Even more importantly, Sengodan states that "padding bytes" could be arbitrarily chosen (see col. 8, lines 16-17) (The p-1 padding byte 522 could be arbitrarily chosen"), and it does not disclose, teach or suggest "remainder voice block having said block size and including remainder bytes of said encoded voice packet and additional bytes from said plurality of first voice blocks." This is a significant distinction as Sengodan fails to disclose, teach or suggest that "additional bytes" are chosen "from said plurality of first voice blocks." In fact, Sengodan teaches away from the invention of claim 1 by stating that the additional bytes could be arbitrarily chosen and by totally ignoring the significance of the above limitations of claim 1, which requires "additional bytes" to be chosen "from said plurality of first voice blocks."

Applicant respectfully submits that at least for the reasons stated above, claim 1 of the present application is patentably distinguishable over Wengrovitz in view of Sengodan. Further, independent claims 6 and 11 include limitations similar to those of claim 1, and should be allowed for the same reasons.

Further, applicant respectfully submits that claims 2, 4, 5, 7, 9, 10, 12, 14 and 15 depend from claims 1, 6 and 11, respectively, and should be allowed at least for the same reasons stated above in conjunction with patentability of claim 1.

Attorney Docket No.: 0160105
Application Serial No.: 10/600,930

B. Conclusion

For all the foregoing reasons, an early Notice of Allowance directed to claims 1, 2, 4-7, 9-12, 14 and 15 is respectfully requested.

Respectfully Submitted,
FARJAMI & FARJAMI LLP

Farshad Farjami
Reg. No. 41,014

FARJAMI & FARJAMI LLP
26522 La Alameda Ave., Suite 360
Mission Viejo, California 92691
Telephone: (949) 282-1000
Facsimile: (949) 282-1002

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being filed by facsimile transmission to United States Patent and Trademark Office at facsimile number (571) 273-8300, on the date stated below.

10/31/07
Date

Marie M. Scoda
Name

Signature

03M0018